

## **ENVIRONMENTAL HEARINGS OFFICE**

### **Minutes of Meeting January 22, 2009 2:30 p.m.**

The January 2009 meeting was called to order by Chair Kathy Mix in the Boards' office in Lacey, Washington. Present were Chair Kathy Mix, Board Members Andrea McNamara Doyle and William Lynch, Administrative Appeals Judges Kay Brown, Phyllis Macleod and Cassandra Noble, Administrative Manager Robyn Bryant, Hearings Coordinator Debbie Joblonski and Administrative Secretary Janet Buechler. Minutes of the November 2008 meeting were read and approved.

Handouts were distributed for review which included the pollution, shoreline, forest practice, hydraulic, and environmental and land use appeals filed, a brief summary of all cases that have closed and the Case Statistics Report.

#### **Appellate Update**

Chair Kathy Mix reported that there were three new Superior Court Appeals filed since the last meeting in November. There was also a discussion concerning the recent State Supreme Court Decision regarding public records requests. Cassandra also reported that the *Will v. Ecology* case (PCHB No. 05-023, which had been remanded to the PCHB, had been returned to Ecology for action as directed by the Superior Court.

#### **Financial Update**

Kathy and Robyn indicated there were no new financial updates; however, there would be a meeting with the Office of Financial Management in the near future.

Bill Lynch reported on Senate Bills 5460 and 5245 currently before the legislature which concerns budgetary issues for general discussion.

### **Pre-Hearing Orders**

There was a discussion on the e-filing language suggested for pre-hearing orders. Kay Brown and Andrea Doyle will put together a standardization of the language to be included in future pre-hearing orders.

### **Designation of Record on Appeal**

Robyn and Kathy brought up the matter of the recent King County decision to designate the entire record of an appeal as an Exhibit and to not include it as scannable material with the record. Robyn will send a letter from the Board expressing the Board's position on the handling of the record on appeal.

### **Ecology New Ticket Enforcement**

There was a review of a letter from the Assistant Attorney General's Ecology Division Office regarding a new ticket enforcement program. Increased inspections and fines could result in more appeals to this office.

### **Inclement Weather Policy**

Robyn stated there was a need to review the EHO Inclement Weather Policy. She will prepare a revised policy to submit for discussion at the next meeting.

### **Statistical Reports**

Kathy reported that the yearly and monthly statistical reports are in the process of being revised to make them more readable and relevant. Debbie and Robyn are currently working on the process.

Meeting adjourned.

Janet Buechler  
Administrative Secretary